



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,100	10/12/2000	Carl Phillip Gusler	AUS9-2000-0401-US1	9974

35525 7590 04/09/2004
DUKE W. YEE
CARSTENS, YEE & CAHOON, L.L.P.
P.O. BOX 802334
DALLAS, TX 75380

EXAMINER

HOFFMAN, BRANDON S

ART UNIT PAPER NUMBER

2136

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/687,100

Applicant(s)

GUSLER ET AL.

Examiner

Brandon Hoffman

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 8-12, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Baker et al. (U.S. Patent No. 5,678,041).

Regarding claims 1, 8, and 15, Baker et al. teaches a method/system/computer program product in a computer readable medium for use in a data processing system for filtering incoming data from an external computer network, the method/system/computer program product comprising:

- Instructions for scanning the content of incoming data for pre-selected keywords (col. 2, lines 41-46);
- Instructions for blocking the incoming data if the content contains pre-selected keywords (col. 2, lines 41-46);
- Instructions for adding the address of a blocked site to a filtering table (col. 5, lines 49-55).

Regarding claims 2 and 9, Baker et al. teaches wherein the instructions for scanning the content of incoming data include instructions for scanning the text fields within the body of the transmission (col. 2, lines 41-46).

Regarding claims 3 and 10, Baker et al. teaches further comprising instructions for allowing incoming data to pass per standard service rules if the content does not contain pre-selected keywords (col. 2, lines 41-46).

Regarding claims 4 and 11, Baker et al. teaches further comprising instructions for creating a filtering table of "known-safe" sites that can be passed per standard service rules without having to be scanned for pre-selected keywords (col. 5, lines 45-49).

Regarding claims 5 and 12, Baker et al. teaches wherein the instructions for adding the address of a blocked site to a filtering table, includes instructions for adding the site to a "known-block" table so that the site will be blocked in the future without having its contents scanned for pre-selected keywords (col. 5, lines 49-55).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (USPN '041) in view of Bauer et al. (U.S. Patent No. 6,662,241).

Regarding claims 6 and 13, Baker et al. teaches all the limitations of claims 1 and 8, respectively, above. However, Baker et al. does not teach wherein the instructions for addition of a site to the filtering table are implemented in a strong text parsing language.

Bauer et al. teaches wherein the instructions for addition of a site to the filtering table are implemented in a strong text parsing language (col. 1, lines 11-25).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the instructions for addition of a site to the filtering table are implemented in a strong text parsing language, as taught by Bauer et al., to the method/system/computer program of Baker et al. It would have been obvious to one of ordinary skill in the art to combine the instructions for addition of a site to the filtering table are implemented in a strong text parsing language, as taught by Bauer et al., to the method/system/computer program of Baker et al. because strong text parsing languages, such as Perl, are often used in web page development and are not machine dependent. This means that the addition to the filtering table can be performed on any platform.

Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (USPN '041) in view of Webopedia (<http://www.webopedia.com/TERM/C/cron.html>).

Regarding claims 7 and 14, Baker et al. teaches all the limitations of claims 1 and 8, respectively, above. However, Baker et al. does not teach wherein the instance of the filter is periodically refreshed through a timed job on a Windows NT platform, a cron job on a UNIX platform, to enact the updated filtering tables.

Webopedia teaches wherein the instance of the filter is periodically refreshed through a timed job on a Windows NT platform, a cron job on a UNIX platform, to enact the updated filtering tables (definition of 'CRON').

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the instance of the filter is periodically refreshed, as taught by Webopedia, to the method/system/computer program of Baker et al. It would have been obvious to one of ordinary skill in the art to combine the instance of the filter is periodically refreshed, as taught by Webopedia, to the method/system/computer program of Baker et al. because periodically updating the blocked/enabled table of sites keeps track of the never ending change of the Internet. If updates were not performed, a site that was once blocked will never have the chance to be seen; the same goes for allowed sites.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Hoffman whose telephone number is 703-305-4662. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Brandon Hoffman

BH
4/7/04

Ayaz Sheikh
AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100